DARBY & DARBY P.C.

805 Third Avenue New York, New York 10022 (212) 527-7700

TELECOPIER: (212) 753-6237

TELEX: 236687

Date: July 10, 2001

Attorney Docket No.: 2828/0G245

TELECOPIER TRANSMISSION COVER SHEET

NOT FOR OFFICIAL ENTRY

Phone Number Transmitting To:

Fax (703) 308-6296

RECEIVED
AUG 1 0 2001

To: United States Patent and Trademark Office

Technology Center 2100

Examiner:

Patricia Kim

Group Art Unit:

Paper(s) Being Transmitted: Transmittal Letter, Request to Withdraw Holding of Notice of

Abandonment, Declaration of G. Karaszi, Inventors Declaration

and Power of Attorney filed on January 2, 2001

Number of Pages Being Transmitted (including cover): 47

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SEP 1 0 2001

From:

15.2000

Ya-Chiao Chang, Esq.

Direct Dial: (212) 527-7794

Technology Center 2100

Comments:

Patricia, it was a pleasure speaking with you over the telephone today. Kindly find enclosed a copy of the papers filed on January 2, 2001 in the Patent Office. Please acknowledge receipt by return fax and proceed with a decision on the Request to Withdraw Holding of Notice of Abandonment as soon as you can. Thank you.

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Technology Center 2100

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Sers firet class mail, postage propaid. envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231,

File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Joseph ABBOUD; Courtney DONNELL

Serial No.: 09/441,834

Examiner:

Filed:

11/17/99

Group Art Unit:

For:

APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH

SELECTABLE VIEWING ORIENTATIONS

December 27, 2000

REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT

Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

Applicants in the above-referenced patent application have received a NOTICE OF ABANDONMENT, dated December 18, 2000 (copy enclosed), advising that the application is abandoned due to applicants' failure to respond to the Notice to File Missing Parts mailed on December 21, 1999.

Applicants further hereby claim Small Entity Status and the PTO is hereby authorized to charge all filing fees associated with this application and necessary to keep this application pending to Darby & Darby Deposit Account No. 04-0100.

Respectfully submitted,

Ya-Chiao Chang Reg. No. 43,407

Attorney For Applicant(s)

DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022 (212) 527-7700 Enclosures

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CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein se being enclosed is being deposited with the U.S. Postal Scrvice as first class mail, postage propaid, in an envelope addressed to: Commissioner of Patente & Trademarks, Washington, DC 20231.

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File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Joseph ABBOUD; Courtney DONNELL

Serial No.: 09/441,834

Examiner:

Filed:

11/17/99

Group Art Unit:

For:

APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH

SELECTABLE VIEWING ORIENTATIONS

December 28, 2000

LETTER & TRANSMITTAL OF DOCUMENTS RELATING TO REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT

Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

Enclosed herewith are:

- Request To Withdraw Holding Of Notice Of Abandonment; 1.
- Declaration of Gabriella V. Karaszi; and 2.
- Executed Inventor's Declaration and Power of Attorney 3.

A review of our file for the above application and of the Darby & Darby docketing system, both the computerized and backup manual records, indicate that the Notice to File Missing Part of December 18, 2000, was not received in these offices. Copies of both the computerized docketing record for the above-referenced application and the manual docketing records covering the period July 21, 2000, to August 21, 2000, are enclosed.\(^1\) Also enclosed is a Declaration, signed by our Docketing Manager, Ms. Gabriella Karaszi, in which the procedure followed by our Docketing Department in the handling of Patent Office mail is presented.

It is respectfully requested that the Notice of Abandonment, dated December 18, 2000, be withdrawn, and that the Notice to File Missing Parts, with the period for response restarted, again be mailed to the address indicated below.

Respectfully submitted,

Ya-Chiao Chang Reg. No. 43,407

Attorney For Applicant(s)

DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022 (212) 527-7700 Enclosures

MADOCKET/FORMS/EM6043,WPD

¹Upon the receipt of an Official Action in our offices, the data regarding the application is entered on the date a response is due, which in the above case for a Notice of Missing Parts with a seven-month response date would be July 21, 2000. We have enclosed copies of the manual docketing records to show that no entry was made on July 21, 2000, nor on the following dates through August 21, 2000.

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein se being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid. in an envelope addressed to: Commissioner of Patente & Trademarks, Washington, DC 20231. and a dipod Deposit

File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Joseph ABBOUD; Courtney DONNELL

Serial No.: 09/441,834

Examiner:

Filed:

11/17/99

Group Art Unit:

For:

APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH

SELECTABLE VIEWING ORIENTATIONS

DECLARATION OF GABRIELLA V. KARASZI

Gabriella V. Karaszi declares and says:

- I am the Manager of the Docketing Department at Darby & Darby, P.C.
- 2. I make this declaration in support of the accompanying REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT, which seeks the withdrawal of the NOTICE OF ABANDONMENT issued on December 18, 2000, in the above-referenced application.

- When an Office Action is received from the U.S. Patent and
 Trademark Office, the following procedures are followed:
- a. The Records Department stamps the received date on the back of the Office Action, pulls the file and forwards it to Docketing;
- b. The period for response is determined (e.g., a response is due 3 months from the USPTO Mail Date). Any additional extensions of time that are available is determined (e.g., an additional extension of time of up to 3 additional months for a total of 6 months response time from the USPTO Mail Date is available);
- c. The response due date is entered in PATTSY (our computer maintained calendaring system), on the pertinent file cover and in the manual incoming docketing book (IDB).
- d. The Office Action is stamped with the "Due Date" stamp. The "Due Date" stamp is filled in with the 3 month date "spelled out" (e.g., September 27, 1998).
- e. The code for Action due is entered in PATTSY (i.e. RE = response due). The USPTO Mail Date is entered in PATTSY under the "Base Date". PATTSY automatically dockets the due dates up to the 6 month date;
- f. The responsible attorney's initials are noted in the upper right hand corner of the Office Action.
- g. The Office Action is checked to insure that a Claim for Priority has been acknowledged. If so, the date of the Office Action is entered in the lower right hand corner of the file under "PTO Ack."

- h. The 6 month date is entered in the IDB as "SIX MONTHS" on the non-extendable six-month due date (e.g., December 27, 1998). Additionally, the responsible attorney's initials, the client's name, our reference number, and the Serial Number are also entered in the IDB in both entries.
- i. The file cover is marked with the USPTO Mail Date, and the 3 month due date (spelled out, e.g., September 27, 1998). Next to this date, in parentheses, the 6 month due date is marked numerically (e.g., 12/27/98).
- j. If the Office Action has attachments (i.e., references), the file is sent to Services for copying, and then forwarded to the responsible attorney.

 Otherwise, the file is forwarded directly to the responsible attorney.
- 4. Based upon my review of the IDB (attached hereto as Exhibit A, which are true copies of Darby & Darby's manual logbook dating from July 21, 2000 (i.e., the due date) to August 21, 2000, our computerized docketing system (PATTSY) (Exhibit B), and our file for Serial No. 09/441,834, the Office Action dated December 21, 1999, for the Serial No. 09/441,834 was never received by Darby & Darby.
- 5. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false

statements may jeopardize the validity of the application or document or any registration resulting therefrom.

CABRIELLA V. KARASZI

Docketing Manager

Enclosures

DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022 212-527-7700

MADOCKET\FORMS\EM6044.WPD

Page 1 of 1



United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.uspid.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/21/1999.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer If required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(e).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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2000 211th day - days follow

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2000 212th day - 154 days follow
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2000 213th day 33 days follow	MONDAY 31 JULY
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· 2000 214th day - 152 days follow

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2000 216th day - 150 days follow

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2000 217th day	19 days follow	erre Lance	FAIDAY	4	AUGUST	
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2000 218th day - 148 days follow

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2000 219th day 747 days follow	SUNDAY 6 AUGUST
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	(Article)
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j.	2000 220th day - 146 days follow
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DARBY&DARBY

(2) 002

Docket No.: 2828/0G245

DECLARATION AND POWER OF ATTORNEY Original Application

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH SELECTABLE VIEWING ORIENTATIONS

which is described and claimed in:

[] the attached specification or

the specification in application [X]

Serial No. 09/441,834, filed on November 17, 1999

(for decigration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.58. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, I hereby claim the priority as amended by any amendment referred to above. benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

COUNTRY

APPLICATION NO.

DATE OF FILING

12/26/2000 TUE 14:02 FAX 2127536237

DARBY&DARBY

20003

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

COUNTRY

APPLICATION NO.

DATE OF FILING

POWER OF ATTORNEY:

As a named inventor. I horsely appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all husiness in the Patent and Trademark office connected therewith: Gordon D. Copiein #19,185, William F. Dudine, Jr #20,569, Michael J, Sweeder #19,937, S. Pater Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,514, Harold E. Wurst #22.183, Joseph B. Lerch #26.936, Melvin C. Garner #26,272, Ethan Horwitz #27,846, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, Robert A. Green #28,301. Peter C. Schaphter #31,662, Robert Schaffer #31,184, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587. Juseph R. Robinson #33,448, Ya-Chizo Chang #43,407

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022

Ya-Chiao Chang

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Abbout

FIRST NAME: Joseph

MIDDLE NAME:

CITY: Bellevub

STATE OR FOREIGN COUNTRY: NE COUNTRY OF CITIZENSHIP: United States

POST OFFICE ADDRESS: 13801 Tregaton

CITY: Believue

STATE OR COUNTRY: NE ZIP CODE: 68123

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Donnell

FIRST NAME; Courtney

MIDDLE NAME:

CITY: Bellevue

STATE OR FOREIGN COUNTRY: NE COUNTRY OF CITIZENSHIP: United States

POST OFFICE ADDRESS: 13801 Tregaron

CITY: Ballevus

STATE OR COUNTRY: NE ZIP CODE: 68123

12/26/2000 TUE 14:03 FAX 2127536237

DARBY&DARBY

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; end further that these statements were made with the knowledge that willful false statements and the like so made are purishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1:

DATED: 12-26-2000

SIGNATURE OF INVENTOR 2;

<u> DATED: 12-26-22</u>00

Return of this card properly stamped, will acknowledge receipt of: Transmittal Letter, Request to Withdraw Holding of Notice Of Abandonment, Declaration of Gabriella V. Karaszi, Inventors Declaration and Power of Attorney

Applicant : Joseph ABBOUD et al.

Serial No.: 09/441,834

: 11/17/99 Filed

: Apparatus For PRoviding An Eletronic Display

For With Selectable Viewing Orientatio

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